

Judge Davis

12-18-13

I ASK the courts to grant this motion/letter to have me reassessed for sanity on the following grounds:

My initial evaluation was done inadequately, and unfair. The original evaluator deemed me competent and sane at the time of offense.

The evaluator failed to retrieve any medical record, and mental health record. Therefore the evaluator could not make an accurate judgement as to my mental state at the time of offense.

Had she obtained my mental health records, she would have documents stating that I was on mental health medication at the time of my offense. She would have documentation stating that two months prior to the offense I was diagnosed with Schizophrenia, PTSD, and bipolar, and was prescribed psychotropic medication. She concluded in her report that I did not suffer

from a severe mental disease but I believe that had she attempted to retrieve my mental health records, there is documentation that states otherwise, because I in fact did suffer from a severe mental disease. My probation officer was transporting me to the appointments. An evaluator who does not have the essential information needed to determine if an inmate was sane at the time of offense, and the information could have easily been obtained, cannot accurately say an inmate was sane, and when there is documentation stating the defendant was suffering from a severe mental disease, and the evaluator stated that the defendant didn't, then there is a conflict and the evaluation cannot be accepted as adequate and true. Furthermore I was abused during the course of my evaluation and the evaluator knew and continued to the abuse and the person has been on administrative leave for well over 6 months, and is currently facing a lawsuit.

my Right As A Pretrial detainee And Right to fair and equal treatment were violated during the evaluation.

Also I should have been reevaluated for competency in light that after coming back to Virginia from the 1st evaluation, I was re diagnosed with chronic PTSD, then diagnosed with depression, bipolar and chronic Antisocial, and was confined to A cell for 5 months because I was unable to function in a regular jail population because of my treatment during the evaluation.

In light of All the above I Ask that this letter/motion to be re-assessed for sanity be granted, and that sentencing be continued pending An "adequate report".

Respectfully Submitted,

Michael Tucker

*[Signature]*

